

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JOAN MOREL RAMIREZ,

Plaintiff,

v.

UNITED SPECIALTY INSURANCE
COMPANY, MANILA EXPRESS,
INC., SUKHPREET SINGH, DOE 1,
DOE 2, DOE 3, DOE 4, and DOE 5,

Defendants.

CIVIL ACTION
FILE NO.:

Gwinnett County State Court
Case No.: 23-C-00369-S7

NOTICE OF REMOVAL

COME NOW, Defendant UNITED SPECIALTY INSURANCE COMPANY, Defendant MANILA EXPRESS, INC., and Defendant SUKHPREET SINGH (hereinafter collectively referred to as “Defendants”), by and through the undersigned counsel, and, pursuant to 28 U.S.C. § 1441(a) and (b), hereby remove to this Court the state court action described below, respectfully showing this Court as follows:

1.

A civil action was filed by the above-named Plaintiff JOAN MOREL RAMIREZ (“Plaintiff”) in the State Court of Gwinnett County, State of Georgia, naming as the Defendants UNITED SPECIALTY INSURANCE COMPANY,

Defendant MANILA EXPRESS, LLC, and Defendant SUKHPREET SINGH, being Civil Action File No. 23-C-00369-S7. Thereafter, an Order was filed correcting the misnomer of Manila Express, LLC and changing it to Manila Express, Inc. The Summons and Complaint and all other pleadings in said civil action are attached hereto collectively as **Exhibit “A”**.

2.

At the time of the filing of the Complaint, Plaintiff was a citizen and resident of the State of Georgia.

3.

At the time of the filing of the Complaint, Defendant United Specialty Insurance Company was, and currently is, a foreign corporation under the laws of the State of Texas with its principal place of business located at 1900 L. Don Dodson Drive, Bedford, Texas 76021.

4.

At the time of filing of the Complaint, Defendant Manila Express, Inc. was, and currently is, a foreign corporation under the laws of the State of California with its principal place of business located at 2430 N. Redda Road, Fresno, California 93737.

5.

At the time of the filing of the Complaint, Defendant Sukhpreet Singh was, and currently is, a citizen of the country of India, he maintains a valid work permit in the United States, and he resides at 10148 Lefferts Boulevard, South Richmond Hill, New York 11419.

6.

Defendant Manila Express, Inc. and Defendant Sukhpreet Singh were served with a copy of the Summons and Complaint on March 21, 2023 via an acknowledgment of service filed in the State Court of Gwinnett County, State of Georgia.

7.

Plaintiff seeks judgment against Defendants for sums in excess of \$75,000.00, exclusive of interest and costs.

8.

The foregoing action is properly removable to this Court pursuant to 28 U.S.C. § 1441(a), 28 U.S.C. § 1446(a) and (b) and, in accordance with 28 U.S.C. § 1332(a), there being diversity of citizenship between Plaintiff and all Defendants, and the matter in controversy, exclusive of interest and costs, exceeds the sum of \$75,000.00.

9.

Now, within thirty (30) days of service and receipt by Defendant Manila Express, Inc. and Defendant Sukhpreet Singh of a copy of the Summons and Complaint filed in the State Court of Gwinnett County, State of Georgia, notice is hereby given in accordance with 28 U.S.C. § 1446 and pursuant to Rule 11, Federal Rules of Civil Procedure, of the removal of the foregoing action to this Court.

10.

All Defendants consent to the removal of the state court action to this Court.

Respectfully submitted, this 22nd day of March, 2023.

MCMICKLE, KUREY & BRANCH, LLP

By: /s/ Scott W. Zottneck

RAYMOND J. KUREY

Georgia Bar No. 430472

SCOTT W. ZOTTNECK

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CERTIFICATE OF COMPLIANCE

The undersigned hereby certifies that the foregoing pleading complies with the font and point selections approved by the Court in Local Rule 5.1C. This pleading has been prepared in Times New Roman, 14 point font.

This 22nd day of March, 2023.

By: /s/ Scott W. Zottneck
SCOTT W. ZOTTNECK
For the Firm

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing **NOTICE OF REMOVAL** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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This 22nd day of March, 2023.

By: /s/ Scott W. Zottneck
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